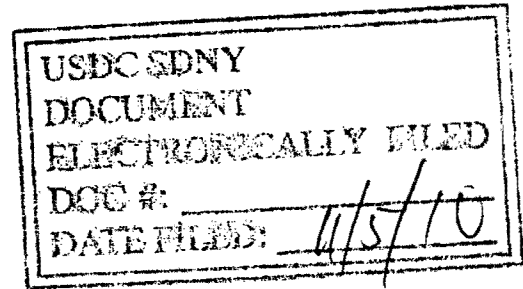


RAKOFF, J

Matthew Kadushin (MK-1968)
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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
**HUGO GOMEZ and ADAM GABIAM on
behalf of themselves and all others similarly
situated,**

INDEX NO. 10-CV-3503 (JSR)

Plaintiffs,

v.

**BRILL SECURITIES, INC., ROBERT
BROWN, NICHOLAS BROWN,
JONATHAN KURTIN, and DAVID
NUTKIS**

**NOTICE OF VOLUNTARY
DISMISSAL BY THE PLAINTIFFS
PURSUANT TO RULE 41 (a)(1)(A)**

Defendants.

-----X
**NOTICE OF VOLUNTARY DISMISSAL BY THE PLAINTIFFS PURSUANT
TO RULE 41(a)(1)(A)**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A), and as the Defendants have neither answered nor moved for summary judgment, undersigned counsel on behalf of the Plaintiffs hereby voluntarily dismisses the pending action against the Defendants without prejudice. In compliance with the Court's order, Plaintiffs understand that should they decide to prosecute their Fair Labor Standards Act (FLSA) claim at some point in the

future, it would necessarily need to proceed through arbitration. Nevertheless, Plaintiffs give notice to the Court and the parties that they do not intend to pursue their FLSA claim in any forum.

Dated: New York, New York
November 3, 2010

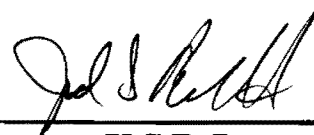
Respectfully submitted,

JOSEPH, HERZFELD, HESTER &
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Attorneys for Plaintiffs

SO ORDERED:



U.S.D.J.

11-4-10

